

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

CHARLES EDWARD PACE,	:	
	:	
Plaintiff,	:	
	:	Case No. 4:20-cv-00237-CDL-MSH
v.	:	
	:	
COLUMBUS, GEORGIA, et.al.,	:	
	:	
Defendant.	:	
	:	

ORDER

Pro se Plaintiff Charles Edward Pace, a prisoner at Scott State Prison in Hardwick, Georgia, filed a handwritten pleading that was docketed as a 42 U.S.C. § 1983 civil rights claim. ECF No. 1. Plaintiff also filed a handwritten “Motion to Proceed In Forma Pauperis.” ECF No. 2.

On November 24, 2020, Plaintiff was ordered to recast his complaint on a proper § 1983 form and to either submit a properly completed motion to proceed *in forma pauperis* or pay the full filing fee. ECF No. 5. Plaintiff was given fourteen (14) days to respond and was informed that failure to comply would result in dismissal of his action. *Id.* Plaintiff failed to respond.

Therefore, on January 4, 2021, the Court notified Plaintiff that it had not received a response and ordered him to show cause why his action should not be dismissed for failure

to comply and diligently prosecute his claims. ECF No. 7. The Court unambiguously informed Plaintiff that his action would be dismissed if he failed to respond. *Id.* Plaintiff was given fourteen (14) days to respond and he failed to do so.

Because Plaintiff has failed to respond to the Court's orders or otherwise prosecute his case, his complaint is **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this 25th day of January, 2021.

S/Clay D. Land

CLAY D. LAND, JUDGE
UNITED STATES DISTRICT COURT